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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/944,891

08/31/2001

Donald J. Remboski

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05/06/2004

MOTOROLA, INC.

CORPORATE LAW DEPARTMENT - #56-238

3102 NORTH 56TH STREET

PHOENIX, AZ 85018

EXAMINER

JAIN, RAJ K

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 05/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,891

Applicant(s)

REMBOSKI ET AL.

Examiner

Raj Jain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-6. 6) ☐ Other: _____

DETAILED ACTION

Specification

Claims 3-5 are objected to because of the following informalities:

In claim 3 replace “switches” with “a switch”.

In claim 4 replace “bridges” with “a bridge”.

In claim 3 replace “routers” with “a router”.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behfar et al (WO 00/77620 A2) in view of Trebes, Jr. (US pat. 6317438), further in view of Edens et al (US Pat. 6,611,537).

Regarding claim 1, Behfar discloses a vehicle (**fig 2**) 20 comprising a first device (**29**) and a second device (**26**) coupled via in-vehicle computer platform. Coupling of the first device and second device can be configured via plurality of communication paths (**page 6 L17-19**).

Behfar fails to disclose an **active network** coupling the first device and the second device.

Trebes discloses an **active network** within a telecommunications environment (**abstract; fig 1; col 5 L29-40, col 9 L 1-19**).

Active networks provide a novel approach to network architecture in which the switches of the network perform customized computations on the messages flowing through them. Furthermore, active network elements, such as switches, obtain information about the status of the network and circulate this information throughout the network for self-healing, controlling traffic flow, etc.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the concept of “active networks” within Behfar so as to allow integrating components to perform customized configurations and controlling traffic flow.

Behfar and Trebes fail to disclose a loop topology between a first device and a second device.

Edens discloses a loop topology between a first device and a second device (**col 9 L61-col10 L8**). The use of a loop topology provides for “same” information propagation to all devices connected within the loop. Since the information being disseminated to the devices within a loop network is the same, only one device needs to discern and interpret the information and then pass that on to the other devices, and thus saving processing time and delays for all other devices connected within the same loop.

Thus using the loop topology scheme within Behfar and Trebes would help to disseminate the “same” information to all devices and reduce processing time and delays instead of having to send information to all devices individually via central server.

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Regarding claim 2, Trebes discloses plurality of active network elements coupled by connection media (**fig 1**).

Regarding claims 3-5, Trebes discloses at least one of the active network elements as being switch, router and/or bridge (**col 5 L37, col 35 L5-27**).

Regarding claim 6, Trebes discloses the active network being a packet data network (**Fig 1**).

Regarding claim 7, Trebes discloses **active network** elements within a telecommunications environment (**abstract; fig 1; col 5 L29-40, col 9 L 1-19**).

Trebes fails to disclose a “loop topology” between the active network elements of the communications network.

Edens discloses a loop topology between devices of the communications network.

(**col 9 L61-col 10 L8**). The use of a loop topology provides for “same” information propagation to all devices connected within the loop. Since the information being disseminated to the devices within a loop network is the same, only one device needs to discern and interpret the information and then pass that on to the other devices, and thus saving processing time and delays for all other devices connected within the same loop. There may be plurality of loops within one communications network, whereby each loop is connected via transmission medium (i.e. cable) to relay information amongst loops and therefore devices within the loops.

Thus using the loop topology scheme within Trebes would help to disseminate the “same” information to all devices and reduce processing time and delays instead of having to send information to all devices individually via central server.

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Regarding claim 8, Edens discloses data rates being different within a loop and other communications path (**col 89 L66-col 90 L43**).

Regarding claims 9 & 10 , Trebes discloses **active network** elements within a telecommunications environment (**abstract; fig 1; col 5 L29-40, col 9 L 1-19**).

Trebes fails to disclose a “loop topology” between the active network elements of the communications network.

Edens discloses a loop topology between devices of a communications network.
(**col 9 L61-col 10 L8**).

Reasons for combining same as in claim 1 above.

Regarding claim 11, Edens discloses a loop connecting a first device and a second device (**fig. 7**).

Regarding claims 12 and 13, Edens discloses different topology schemes (ring, loop, star, etc.) that can be accommodated (**col 9 L55-67**) within a given environment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 703-305-5652. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 703-305-4336. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

RJ
April 12, 2004



WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
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